

Exhibit 2

**September 13–November 13, 2024 Email Chain
between the Government and Defendants**

From: Pierce, Abigail M. <abigail.pierce@reedsmith.com>
Sent: Wednesday, November 13, 2024 3:25 PM
To: Wadden, Michael J.; Mahady, Joseph J
Cc: Toll, Robert (USANJ); Conaboy, Jordann (USANJ); Jones, Landon (USAPAE); Scicchitano, Anthony (USAPAE); Sohn, Deborah S.; Schoch, Coleen; Nicholas, Robert A.; Auten, Meredith S. (meredith.auten@morganlewis.com); Bingham, Adina D.; Bohnet, Anne R; Himmel, Brian T.; Ashe, Kristen M.; Breese, Clifford; Melton, Jeffrey R.; Stegman, Jared R.; Suddath Jr., Thomas H.; DeLine, Amy L.; Scott, John (USAPAE)
Subject: [EXTERNAL] RE: US v. ABC - Letter to Government re Internal DEA Documents

Mike,

It is clear from our last meet-and-confer, and the Government's September 20th letter, that the Government is unwilling to change its position as to what it views as relevant and what it is willing to produce. The Parties have fundamentally different views as to what is relevant in this case, and any follow-up discussion would not be productive.

We will file the documents under seal.

Thanks,
Abby

From: Wadden, Michael J. <Michael.J.Wadden@usdoj.gov>
Sent: Wednesday, November 13, 2024 12:04 PM
To: Pierce, Abigail M. <abigail.pierce@reedsmith.com>; Mahady, Joseph J <JMahady@ReedSmith.com>
Cc: Toll, Robert (USANJ) <Robert.Toll@usdoj.gov>; Conaboy, Jordann (USANJ) <Jordann.Conaboy@usdoj.gov>; Jones, Landon (USAPAE) <Landon.Jones@usdoj.gov>; Scicchitano, Anthony (USAPAE) <Anthony.Scicchitano@usdoj.gov>; Sohn, Deborah S. <Deborah.S.Sohn@usdoj.gov>; Schoch, Coleen <Coleen.Schoch@usdoj.gov>; Nicholas, Robert A. <RNicholas@ReedSmith.com>; Auten, Meredith S. (meredith.auten@morganlewis.com) <meredith.auten@morganlewis.com>; Bingham, Adina D. <adina.bingham@morganlewis.com>; Bohnet, Anne R <ABohnet@reedsmith.com>; Himmel, Brian T. <BHimmel@ReedSmith.com>; Ashe, Kristen M. <KAshe@reedsmith.com>; Breese, Clifford <CBreese@reedsmith.com>; Melton, Jeffrey R. <JMelton@ReedSmith.com>; Stegman, Jared R. <JStegman@reedsmith.com>; Suddath Jr., Thomas H. <TSuddath@ReedSmith.com>; DeLine, Amy L. <Amy.L.DeLine@usdoj.gov>; Scott, John (USAPAE) <John.Scott@usdoj.gov>
Subject: RE: US v. ABC - Letter to Government re Internal DEA Documents

External E-Mail - FROM Wadden, Michael J. <michael.j.wadden@usdoj.gov>

Abby,

Thanks for your email. As noted in our letter of September 20, we would be willing to continue discussions, and we believe the Court contemplated more of a back-and-forth effort to define the scope of relevant materials under the applicable law than Defendants have been willing to engage in so far. But it's of course your choice how to proceed.

Regarding the confidentiality designations you've raised, the protective order establishes procedures for filing confidential materials and deadlines for a designating party to decide whether to waive confidentiality. Please follow the protective order's procedures and we'll respond in accordance with the deadlines it imposes. It has taken you over 7 weeks to reply to our September 20 letter, and we don't think it's reasonable for you to email us on a federal holiday Monday demanding a final written response by Wednesday at noon, given that the protective order provides us with significantly more time.

Thanks,
Mike

From: Pierce, Abigail M. <abigail.pierce@reedsmith.com>
Sent: Monday, November 11, 2024 2:55 PM
To: Wadden, Michael J. <Michael.J.Wadden@usdoj.gov>; Mahady, Joseph J <JMahady@ReedSmith.com>
Cc: Toll, Robert (USANJ) <RToll@usa.doj.gov>; Conaboy, Jordann (USANJ) <JConaboy@usa.doj.gov>; Jones, Landon (USAPAE) <LJones4@usa.doj.gov>; Scicchitano, Anthony (USAPAE) <ascicchitano@usa.doj.gov>; Sohn, Deborah S. <Deborah.S.Sohn@usdoj.gov>; Schoch, Coleen <Coleen.Schoch@usdoj.gov>; Nicholas, Robert A. <RNicholas@ReedSmith.com>; Auten, Meredith S. (meredith.auten@morganlewis.com) <meredith.auten@morganlewis.com>; Bingham, Adina D. <adina.bingham@morganlewis.com>; Bohnet, Anne R <ABohnet@reedsmith.com>; Himmel, Brian T. <BHimmel@ReedSmith.com>; Ashe, Kristen M. <KAshe@reedsmith.com>; Breese, Clifford <CBreese@reedsmith.com>; Melton, Jeffrey R. <JMelton@ReedSmith.com>; Stegman, Jared R. <JStegman@reedsmith.com>; Suddath Jr., Thomas H. <TSuddath@ReedSmith.com>; DeLine, Amy L. <Amy.L.DeLine@usdoj.gov>
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Counsel,

We've reviewed the Government's September 20th letter and the cases it cites and continue to disagree with the Government's narrow definition of relevance in this case. At this point, the parties are at an impasse, and we do not view additional meet and confers as productive. We intend to file a motion to compel.

Our motion cites the following DEA-produced documents from the federal MDL: US-DEA-00009539 and US-DEA-00008563. They are attached. Please let us know if the Government will waive confidentiality of US-DEA-00009539 no later than Wednesday at 12 pm EST. If the Government does not agree, please provide the reason/explanation so we can include the Government's position in a motion to seal. We understand that US-DEA-00008563 was used at a deposition and DEA did not mark the document as confidential and, as such, has waived confidentiality for that document.

Thanks,
Abby

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From: Wadden, Michael J. <Michael.J.Wadden@usdoj.gov>
Sent: Friday, September 20, 2024 5:35 PM
To: Pierce, Abigail M. <abigail.pierce@reedsmith.com>; Mahady, Joseph J <JMahady@ReedSmith.com>
Cc: Toll, Robert (USANJ) <Robert.Toll@usdoj.gov>; Conaboy, Jordann (USANJ) <Jordann.Conaboy@usdoj.gov>; Jones, Landon (USAPAE) <Landon.Jones@usdoj.gov>; Scicchitano, Anthony (USAPAE) <Anthony.Scicchitano@usdoj.gov>; Sohn, Deborah S. <Deborah.S.Sohn@usdoj.gov>; Schoch, Coleen <Coleen.Schoch@usdoj.gov>; Nicholas, Robert A. <RNicholas@ReedSmith.com>; Auten, Meredith S. (meredith.auten@morganlewis.com) <meredith.auten@morganlewis.com>; Bingham, Adina D. <adina.bingham@morganlewis.com>; Bohnet, Anne R

<ABohnet@reedsmith.com>; Himmel, Brian T. <BHimmel@ReedSmith.com>; Ashe, Kristen M. <KAshe@reedsmith.com>; Breese, Clifford <CBreese@reedsmith.com>; Melton, Jeffrey R. <JMelton@ReedSmith.com>; Stegman, Jared R. <JStegman@reedsmith.com>; Suddath Jr., Thomas H. <TSuddath@ReedSmith.com>; DeLine, Amy L. <Amy.L.DeLine@usdoj.gov>

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External E-Mail - FROM Wadden, Michael J. <michael.j.wadden@usdoj.gov>

Abby and Joe,

Please see the attached letter responding to your letter of last Friday.

Following up on other outstanding items from last week, we plan to produce the agreed-upon SORs data for the customers whose orders are currently at issue by the end of October. We fully expect to meet that deadline barring any unexpected disruptions (such as a government shut down). We are still looking into the ARCOS data and will get back to you on that as soon as we can. Regarding IMPACT TOCs for the investigations into Defendants that gave rise to this action, we plan to start producing those next week and do not expect it to be an extended process.

Thanks,

Mike

From: Pierce, Abigail M. <abigail.pierce@reedsmith.com>

Sent: Friday, September 13, 2024 3:57 PM

To: Wadden, Michael J. <Michael.J.Wadden@usdoj.gov>; DeLine, Amy L. <Amy.L.DeLine@usdoj.gov>

Cc: Mahady, Joseph J <JMahady@ReedSmith.com>; Toll, Robert (USANJ) <RToll@usa.doj.gov>; Conaboy, Jordann (USANJ) <JConaboy@usa.doj.gov>; Jones, Landon (USAPAE) <LJones4@usa.doj.gov>; Scicchitano, Anthony (USAPAE) <ascicchitano@usa.doj.gov>; Sohn, Deborah S. <Deborah.S.Sohn@usdoj.gov>; Schoch, Coleen <Coleen.Schoch@usdoj.gov>; Nicholas, Robert A. <RNicholas@ReedSmith.com>; Auten, Meredith S. <meredith.auten@morganlewis.com> <meredith.auten@morganlewis.com>; Bingham, Adina D. <adina.bingham@morganlewis.com>; Bohnet, Anne R <ABohnet@reedsmith.com>; Himmel, Brian T. <BHimmel@ReedSmith.com>; Ashe, Kristen M. <KAshe@reedsmith.com>; Breese, Clifford <CBreese@reedsmith.com>; Melton, Jeffrey R. <JMelton@ReedSmith.com>; Stegman, Jared R. <JStegman@reedsmith.com>; Suddath Jr., Thomas H. <TSuddath@ReedSmith.com>

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Amy and Mike,

Please see the attached correspondence.

Thanks,

Abby

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